

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
MARK SWARTZ,

Plaintiff,

-against-

TYCO INTERNATIONAL LTD.,  
Defendant.  
-----X

USDC SDNY  
DOCUMENT  
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12 CIVIL 4060 (TPG)

**JUDGMENT**

Tyco having moved to dismiss Swartz's complaint in the new action on the ground that the claims were required to be brought as compulsory counterclaims in the Tyco action but were not, and the matter having come before the Honorable Thomas P. Griesa, United States District Judge, and the Court, on October 22, 2012, having rendered its Opinion granting the motion, it is,


**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion dated October 22, 2012, the motion is granted.

**Dated:** New York, New York  
October 23, 2012

**RUBY J. KRAJICK**

\_\_\_\_\_  
**Clerk of Court**

BY:

  
\_\_\_\_\_  
**Deputy Clerk**

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